

# PHILLIPS, GOLDMAN, MCLAUGHLIN & HALL, P.A.

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February 20, 2018

## E-Filed

The Honorable Richard D. Bennett  
United States District Court  
District of Maryland  
101 West Lombard Street  
Chambers 5D  
Baltimore, MD 21201

Re: Ryan McDonald v. LG Chem, Ltd.  
Civil Action No.: 1:16-cv-01093-RDB

Dear Judge Bennett:

Please consider this letter a status report on behalf of Defendant, LG Chem, Ltd. It is being submitted independently because Plaintiff has not provided a proposed submission as of 5:00 p.m. today.

- a. Status of Discovery. Discovery is complete.
- b. Pending Motions. There is one pending motion for sanctions filed by Plaintiff on February 17, 2018. The Court has advised that the motion is improperly filed. The parties have scheduled a teleconference for March 2, 2018 at 11:00 a.m. to try to resolve the dispute informally. The parties will submit letters stating their respective positions on or before February 27, 2018. See also paragraph (c) below. There are no other motions pending.
- c. Dispositive Pretrial Motions. Defendant filed a Motion for Summary Judgment and a *Daubert* Motion to Exclude the Testimony of Plaintiff's Liability Expert, David Zuckerbrod, Ph.D. today, February 20, 2018.
- d. Jury or Non-Jury Trial / Length of Trial. Defendant requests a trial by jury. The anticipated length of trial is two weeks.
- e. Certification as to Settlement Negotiations. The undersigned counsel certifies that the parties have scheduled a mediation to occur on February 27, 2018. Plaintiff has made a

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settlement demand on September 26, 2017. On February 17, 2018, Plaintiff increased his demand. Defendant has not made a settlement offer.

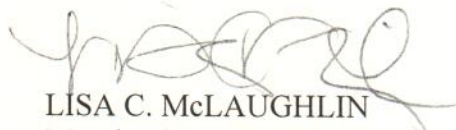
f. Would it be Helpful to Refer Case to Another Judge for an ADR Conference? Defendant believes it would be helpful to refer the case to another judge of this Court for a settlement conference or other ADR conference after the resolution of Defendant's Summary Judgment and *Daubert* Motions are decided.

g. Do Parties Consent to Having Magistrate Judge Conduct All Further Proceedings Pursuant to 28 U.S.C. § 636(c). Defendant does not consent to have the U.S. Magistrate Judge conduct all further proceedings in this case.

h. Other Matters. Defendant LG Chem, Ltd. intends to object to Plaintiff's written discovery which was issued on January 30, 2018, too late for Defendant to timely respond before the February 20, 2018 expiration of the discovery cutoff dates set by the Court in its Scheduling Order. This discovery is also violative of the Federal Rules of Civil Procedure and this Court's local rules limiting the number of interrogatories and requests for production. There are no other matters that need to be brought to the Court's attention.

If the Court requires anything further, please advise.

Respectfully submitted,



LISA C. McLAUGHLIN  
Maryland Bar ID #25529

RSG:clb

cc: Shani Dinovitz, Esquire